

RECEIVED

2020 DEC 17 AM 6:01

12/14/2020

Montrell Benard # 30286-076

FCI Victorville

P.O. BOX 3725

Adelanto, CA. 92301

THOMAS M. COULD
CLERK OF DISTRICT COURT
TNWD OF TN MEMPHIS

Re: Case No. 2:17-CR-20103 - TLP-3

Clerk OF THE Court,

Will you please include these
Exhibits, to my recently Filed Motion To Reduce
Sentence § 3582(c)(1) & First Step Act (2018) Covid-19

And also will you return Stamped File copy..

Thank You. Also send copy to U.S. Attorney Office.

Sincerely *Montrell Benard*

EXHIBIT



Inmate Name: BENARD, Montrell Ray
Register No.: 30286-076
Unit: B Uppér

This is in response to your Request for Compassionate Release/Reduction in Sentence, based on the spread of COVID-19 and your medical condition of Bronchitis.

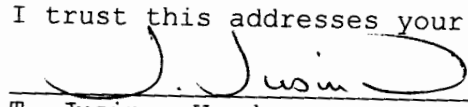
Title 18 of the United States Code, section 3582(c)(1)(A), allows a sentencing court, on motion of the Director of the BOP, to reduce a term of imprisonment for extraordinary or compelling reasons. BOP Program Statement No. 5050.50, Compassionate Release/Reduction in Sentence: Procedures for Implementation of 18 U.S.C. §§ 3582(c)(1)(A) and 4205(g), provides guidance on the types of circumstances that present extraordinary or compelling reasons, such as the inmate's terminal medical condition; debilitated medical condition; status as a "new law" elderly inmate, an elderly inmate with medical conditions, or an "other elderly inmate"; the death or incapacitation of the family member caregiver of the inmate's child; or the incapacitation of the inmate's spouse or registered partner. Your request has been evaluated consistent with the general guidance.

The BOP is taking extraordinary measures to contain the spread of COVID-19 and treat any affected inmates. We recognize that you, like all of us, have legitimate concerns and fears about the spread and effects of the virus. However, your concern about COVID-19 does not currently warrant the BOP to make a motion for modification of your sentence to the sentencing judge.

Additionally, RIS consideration may be given to inmates who have been diagnosed with a terminal and incurable disease whose life expectancy is eighteen months or less, progressive illness or who have suffered a debilitating injury from which they will not recover. Your case was reviewed by the Medical Department and determined that although you have medical concerns of Bronchitis, you are not diagnosed with a terminal medical condition whose life expectancy is eighteen months or less, and you do not meet the criteria for a debilitated medical condition at this time. Your medical conditions can be treated in a correctional facility and your physical health does not diminish your ability to function in a correctional setting.

Based upon a review of all of the factors discussed above, I do not find that there are "extraordinary or compelling circumstances" as required by the statute to recommend the Bureau make a motion before your sentencing court seeking a reduction in sentence. Your request for Compassionate Release/Reduction in Sentence is denied. If you are not satisfied with this response to your request, you may commence an appeal of this decision via the Administrative Remedy process.

I trust this addresses your concerns.


T. Jusino, Warden

11/3/2020
Date

BP-A0148

INMATE REQUEST TO STAFF CDFRM

HSLC 10

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

TO: (Name and Title of Staff Member) REQUEST TO WARDEN (JUSINO)	DATE: JULY 22, 2020
FROM: MONTRELL BENARD	REGISTER NO.: 30286-076
WORK ASSIGNMENT: LIBRARY ORDER	UNIT: B-UP 404

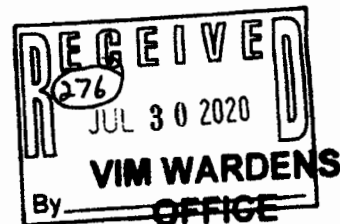
SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request. **I'M REQUESTING A COMPASSIONATE RELEASE DUE TO THE RAPID SPREAD OF COVID-19 VIRUS. UNDER THE FIRST STEP ACT SECTION 156. REASON WHY DO TO MY CHRONIC CONDITION. "BRONCHITIS" I ALSO LIVE IN B-UPPER WHERE THE PANDEMIC BROKE LOOSE AND I HAVE CURRENTLY ALREADY HAD TO TAKE 3 TEST.**

HERES THE ADDRESS BELOW WHERE I WILL LEAVE WHEN I GET OUT

**MONTRELL BENARD
3969 STRAND WAY
PERRIS, CA 92571**

(Do not write below this line)

DISPOSITION:



Signature Staff Member

Date

Record Copy - File; Copy - Inmate

PDF

Prescribed by N551/

This form replaces BP-148.070 dated Oct 86
and BP-S148.070 APR 94

FILE IN SECTION 6 UNLESS APPROPRIATE FOR PRIVATE FOLDER

SECTION 6

**Individualized Needs Plan - Program Review (Inmate Copy)**

SEQUENCE: 02069740

Dept. of Justice / Federal Bureau of Prisons

Team Date: 10-22-2020

Plan is for inmate: BENARD, MONTRELL RAY 30286-076

Facility: VIM VICTORVILLE MED I FCI
 Name: BENARD, MONTRELL RAY
 Register No.: 30286-076
 Age: 38
 Date of Birth: 05-09-1982

Proj. Rel. Date: 01-04-2026
 Proj. Rel. Mthd: GCT REL
 DNA Status: FTW06947 / 08-17-2017

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Detainers

Detaining Agency	Remarks
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NO DETAINER

Pending Charges

DUI-Drug/ Unlicensed Driver; Los Angeles Sheriff's Dept. Lakewood, CA; Warrant issued; remains active.
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Current Work Assignments

Fac	Assignment	Description	Start
VIM	ED EDUC	EDUCATION WORK DETAIL	07-01-2020
VIM	UNASSGN	UNASSIGNED NEW INMATES	09-02-2020

Current Education Information

Fac	Assignment	Description	Start
VIM	ESL HAS	ENGLISH PROFICIENT	10-23-2019
VIM	GED HAS	COMPLETED GED OR HS DIPLOMA	01-09-2020

Education Courses

SubFac	Action	Description	Start	Stop
VIM	C	CIRCLES CLASS	01-19-2020	03-18-2020
VIM	C	RPP FCC AIDS AWARENESS (C1)	10-24-2019	10-24-2019

Discipline History (Last 6 months)

Hearing Date	Prohibited Acts
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** NO INCIDENT REPORTS FOUND IN LAST 6 MONTHS **

Current Care Assignments

Assignment	Description	Start
CARE1	HEALTHY OR SIMPLE CHRONIC CARE	08-18-2017
CARE1-MH	CARE1-MENTAL HEALTH	10-06-2017

Current Medical Duty Status Assignments

Assignment	Description	Start
C19-RCVRD	COVID-19 RECOVERED	08-13-2020
NO PAPER	NO PAPER MEDICAL RECORD	08-18-2017
REG DUTY	NO MEDICAL RESTR--REGULAR DUTY	08-29-2017
YES F/S	CLEARED FOR FOOD SERVICE	08-29-2017

Current Drug Assignments

Assignment	Description	Start
ED COMP	DRUG EDUCATION COMPLETE	12-12-2019
NR WAIT	NRES DRUG TMT WAITING	12-12-2019

FRP Details

Most Recent Payment Plan

FRP Assignment: PART FINANC RESP-PARTICIPATES Start: 10-23-2019

Inmate Decision: AGREED \$25.00 Frequency: QUARTERLY

Payments past 6 months: \$50.00 Obligation Balance: \$0.00

Financial Obligations

No.	Type	Amount	Balance	Payable	Status
1	ASSMT	\$100.00	\$0.00	IMMEDIATE	COMPLETEDZ
Adjustments:					
	Date Added	Fac	Adjust Type	Reason	Amount
	09-12-2020	VIM	PAYMENT	INSIDE PMT	\$25.00



Individualized Needs Plan - Program Review (Inmate Copy)

SEQUENCE: 02069740

Dept. of Justice / Federal Bureau of Prisons

Team Date: 10-22-2020

Plan is for inmate: BENARD, MONTRELL RAY 30286-076

Most Recent Payment Plan

No.	Type	Amount	Balance	Payable	Status	
	Adjustments:	Date Added	Fac	Adjust Type	Reason	Amount
		06-12-2020	VIM	PAYMENT	INSIDE PMT	\$25.00

Payment Details

Trust Fund Deposits - Past 6 months: \$ N/A

Payments commensurate ? N/A

New Payment Plan:

** No data **

Progress since last review

Maintained a job assignment.

Next Program Review Goals

Enroll in LDN Recreation and Truth about Drugs. Maintain clear conduct.

Long Term Goals

Complete LDN Recreation and Truth about Drugs. Enroll in Cage your Rage. Maintain job assignment.

No.

Management decision - 17-19 months prior to PRD.

Comments

** No notes entered **